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Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce Hearing on H.R. ___, Motor Vehicle Safety Act of 2010 Subcommittee on Commerce, Trade, and Consumer Protection May 6, 2010

Chairman Rush, thank you for convening this hearing on the discussion draft of the Motor Vehicle Safety Act of 2010. And even more important, thank you for your work as a coauthor of the bill.

This may be the most important vehicle safety bill in a generation.

The objectives of this bill are to improve vehicle safety and strengthen NHTSA. With new safety standards, requirements for data recorders, and expertise at NHTSA, we hope to restore consumers' faith in the cars they drive and the companies that make those cars. With new resources and tools available, we hope NHTSA will be able to critically evaluate the claims auto manufacturers make about the operations of their vehicles, conduct more thorough defect investigations, and bring about timely recalls when necessary.

This legislation is what I call a win-win-win. It is a win for the public by protecting vehicle safety, a win for the auto industry by restoring confidence in their vehicles, and a win for the National Highway Traffic Safety Administration by giving the agency tasked with overseeing vehicle safety programs the resources to do the job.

The recent Toyota recalls severely rattled the driving public. This legislation meets the public's urgent concerns.

The bill has four components.

- First, it improves electronics expertise at NHTSA and calls for new safety standards to require brake overrides, to prevent pedal entrapment, and to meet performance requirements for electronic vehicle components. New vehicles would also be required to

be equipped with robust event data recorders to assist defect investigators in accident reconstruction.

- Second, it provides NHTSA with new enforcement authorities including lifting the cap on civil penalties and granting the agency the authority to order a recall if the agency identifies an imminent hazard of death or serious injury.
- Third, it requires greater transparency of early warning data submitted by companies to help NHTSA identify defect trends and restores judicial oversight of agency decisions to deny a defect petition.
- Finally, the bill addresses NHTSA's chronic resource deficiency for vehicle safety programs with an increased authorization of appropriations and the introduction of a modest user fee.

In addition to Chairman Rush, I want to thank Chairman Dingell for his contributions to this draft. I know Chairman Dingell still has concerns about the bill, but he and his staff made many helpful and important contributions to the draft language. It is my goal that when we report this bill from full Committee, Chairman Dingell will support the final product.

I also hope that we will be able to earn the support of Ranking Member Barton and other members on his side, so this is a true bipartisan effort.

What this bill does not do – what no legislation can do – is ensure that NHTSA has the willingness and leadership to use its authority to the fullest extent. For that we are relying on you, Administrator Strickland, and I must take this opportunity to commend you for your leadership overseeing the agency's response to the Toyota situation beginning just moments after your confirmation.

It is clear that together with Secretary LaHood, you are committed to putting NHTSA ahead of the curve when it comes to safety. It is our intention to make sure this bill gives you the authority and resources you need to succeed.